

SEND / ENTER / JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

ANGEL RAFAEL MARISCAL,

Plaintiff,

vs.

U.S. POSTAL SERVICE,

Defendant.

Case No. CV 07-1621 ODW (MANx)

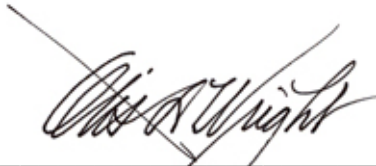
ORDER DISMISSING CASE FOR
LACK OF PROSECUTION

On August 1, 2007, this court issued an Order to Show Cause (“OSC”) as to why this case should not be dismissed for lack of prosecution. Specifically, Plaintiff filed his Complaint in this case on March 12, 2007 and by August the court had not received proof of service of process, which was due no later than 120 days after filing the Complaint. *See* Fed. R. Civ. P. 4(m). On August 14, 2007, Plaintiff responded to the OSC stating that he believed in good faith that his service of process had been completed. The court, however, never received proof of service. In addition, there are no summons forms in the case file. Nonetheless, the court issued an Order Discharging the OSC on August 16, 2007 giving Plaintiff an additional 90 days to effect service of process.

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2 The additional 90 days has now expired and the court has still not received proof
3 of service of process. Accordingly, the above-captioned case is hereby DISMISSED
4 for lack of service of process.

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6 IT IS SO ORDERED

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8 DATED: March 18, 2008

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12 Otis D. Wright II
13 United States District Judge
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